

1 RICHARD G. CAMPBELL, JR.
Nevada Bar No.: 1832
2 BRET F. MEICH
Nevada Bar No.: 11208
3 ARMSTRONG TEASDALE, LLP
50 West Liberty Street, Suite 950
4 Reno, Nevada 89501
Telephone No.: 775-322-7400

5 Michael R. MacPhail (Admitted *pro hac vice*)
6 Sarah L. Geiger (Pending *pro hac vice*)
7 FAEGRE BAKER DANIELS, LLP
3200 Wells Fargo Center
1700 Lincoln Street
8 Denver, CO 80203-4532
Telephone: 303-607-3500
9 Fax: 303-607-3600

10 Attorneys for Defendants

11 UNITED STATES DISTRICT COURT
12 DISTRICT OF NEVADA
13

14 HOWARD L. HOWELL, Lead
Plaintiff, ELLISA PANCOE,
15 Individually and on Behalf of All
Others Similarly Situated,

16 Plaintiff,

17 v.

18 JBI, INC., f/k/a 310 HOLDINGS, INC.,
19 JOHN BORDYNUIK, and RONALD
BALDWIN, JR.,

20 Defendants.
21

CASE NO. 3:11-CV-545-RCJ-WGC

**STIPULATION FOR EXTENSION OF
TIME FOR DEFENDANTS TO FILE
FIRST RESPONSIVE PLEADING TO
AMENDED CLASS ACTION
COMPLAINT FOR VIOLATIONS OF
THE FEDERAL SECURITIES LAWS**

[SECOND REQUEST]

22 Lead Plaintiff, HOWARD L. HOWELL, Plaintiff ELLISA PANCOE, and
23 Defendants JBI, INC., f/k/a 310 HOLDINGS, INC., JOHN BORDYNUIK and RONALD
24 BALDWIN, JR., ("Parties") by and through their counsel, hereby stipulate and agree to
25 this second stipulation for an extension of time pursuant to Local Rule ("LR") 6-1 for
26 Defendants to answer or otherwise respond to the Amended Complaint in this matter.

27 WHEREAS, the Plaintiffs in the above-captioned action (the "Action") filed a
28 complaint on July 28, 2011 (the "Complaint"), that asserts claims under the Securities

1 Exchange Act of 1934 (the "Exchange Act") on behalf of a putative class against JBI,
2 Inc., f/k/a 310 Holdings, Inc., John Bordynuik and Ronald Baldwin, Jr. The Plaintiffs
3 filed an Amended Complaint on July 10, 2012. Based on the previous stipulations
4 between the Parties, the Defendants first responsive pleading would be due on September
5 10, 2012.

6 WHEREAS, the Parties are in the process of settlement negotiations and have
7 scheduled a mediation in this matter for August 3, 2012.

8 WHEREAS, the Parties have conferred and agreed it would be more efficient to
9 extend the time for Defendants JBI, Inc., John Bordynuik and Ronald Baldwin, Jr. to
10 answer or otherwise respond to the Amended Complaint in the Action until 60 days
11 following August 6, 2012, which is the Monday following the scheduled mediation.

12 WHEREAS, nothing in this Stipulation shall be construed as waiving any rights,
13 arguments, defenses (including, without limitation, jurisdictional defenses), positions in
14 law or in equity, or objections that may be asserted by Defendants JBI, Inc., John
15 Bordynuik, or Ronald Baldwin with respect to the Amended Complaint or any other
16 complaint that may be filed in this Action.

17 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the
18 undersigned counsel that:

19 1. Defendants JBI, Inc., John Bordynuik and Ronald Baldwin, Jr. are not
20 obligated to answer, move against, or otherwise respond to the Amended Complaint filed
21 in the above-captioned action until sixty (60) days following August 6, 2012, which is
22 October 5, 2012. Plaintiffs will have thirty (30) days to file an opposition to any motion
23 to dismiss filed by Defendants, and Defendants will have thirty (30) days to file a reply to
24 Plaintiffs' opposition.

25
26 A proposed order is attached.
27
28

1 Dated this 3th day of July, 2012.

2 ARMSTRONG TEASDALE, LLP

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5 By: /s/ Bret F. Meich

6 Richard G. Campbell, Jr.
7 Bret F. Meich
8 50 West Liberty Street, Suite 950
9 Reno, NV 89501
10 Telephone: 775-322-7400
11 Facsimile: 775-322-9049

12 **Attorneys for Defendants**

Dated this 12th day of July, 2012.

THE O'MARA LAW FIRM, P.C.

By: /s/ David C. O'Mara

David C. O'Mara
Nevada State Bar No. 8599
311 E. Liberty Street
Reno, Nevada 89051
Telephone: 775-323-1321
Facsimile: 775-323-4082

**GLANCY BINKOW &
GOLDBERG LLP**

Lionel Glancy
Michael Goldberg
Robert V. Prongay
1801 Avenue of the Stars, Suite 311
Los Angeles, California 90067
Telephone: 310-201-9150
Facsimile: 310-201-9160

Attorney for Plaintiffs

ORDER

IT IS SO ORDERED that Defendants JBI, INC., f/k/a 310 HOLDINGS, INC., JOHN BORDYNUIK and RONALD BALDWIN, JR., be allowed to file their first responsive pleading to Plaintiffs' Amended Complaint on October 5, 2012. Plaintiffs will have thirty (30) days to file an opposition to any motion to dismiss filed by Defendants, and Defendants will have thirty (30) days to file a reply to Plaintiffs' opposition.

DATED: July 24, 2012.


United States Magistrate Judge